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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/708,873	03/30/2004	Steven D. Cheng	ACMP0182USA	2872
27765	7590	03/23/2006	EXAMINER	
NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION			FOX, BRYAN J	
P.O. BOX 506			ART UNIT	
MERRIFIELD, VA 22116			PAPER NUMBER	

2617

DATE MAILED: 03/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/708,873

Applicant(s)

CHENG, STEVEN D.

Examiner

Bryan J. Fox

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-3, 5, 6, 7, 9, 10 and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Laatu in view of Armbruster et al (US006070065A).

Regarding **claim 1**, Laatu discloses a system where emergency numbers are stored in terminal memory separate from the smart card, for use in case of an emergency (see paragraph 31), which reads on the claimed, "method of dialing a emergency telephone number using a mobile station, the mobile station having a database containing a plurality of Local Emergency Call Numbers corresponding to a specific geographic location." When the user dials a specific sequence, such as *911, a display of available emergency centers will be brought up (see paragraph 21), which reads on the claimed, "displaying a list of local emergency services for the current

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geographic location.” The user can select a particular emergency number to call (see paragraph 22), which reads on the claimed, “selecting one of the local emergency services; retrieving a first local emergency telephone number associated with the selected local emergency service,” and, “making a first telephone connection with the first local emergency telephone number.” Laatu inherently provides support for upgrading the priority of an emergency call as he discloses that typically an emergency number is given priority in the network (see paragraph 4), which reads on the claimed, “upgrading connection priority of the mobile station to a mobile phone network from basic telephone call priority to emergency telephone call priority.” Laatu fails to expressly disclose the mobile phone network verifying that the first local emergency telephone number is part of the LECAN database of the current geographic location before making a first telephone connection with the first local emergency telephone number.

In a similar field of endeavor, Armbruster discloses that what a gateway determines that the subscriber unit has moved into a defined area with a different emergency code, the gateway transmits new emergency codes to the subscriber unit (see column 6, lines 12-27), which reads on the claimed, “the mobile phone network verifying that the first local emergency telephone number is part of the LECAN database of the current geographic location.” This happens before the connection as claimed.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Laatu with Armbruster to include the above emergency number update in order to ensure support of emergency calling service for subscriber roaming

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into areas where the emergency calling dialing plan differs from that of their home dialing plan as suggested by Armbruster (see column 2, lines 57-67) and to ensure the numbers include any recent changes or additions.

Regarding **claim 3**, Laatu fails to disclose a corresponding location ID based on one or more items selected from the group consisting of a Mobile Country Code (MCC), a Mobile Network Code (MNC), a Location Area Code (LAC), and a Routing Area (RAC).

In a similar field of endeavor, Armbruster et al disclose a system that allows the subscriber unit to recognize dialed digits as an emergency code, translate the dialed digits to the appropriate digit stream based on location, and inform the servicing network of the emergency nature of the call (see column 2, lines 25-34). Each Location Area Code is associated with at least one emergency service center if the region within the LAC is located provides emergency services.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Laatu with Armbruster et al to include the above association of each Location Area Code with at least one emergency service number where available in order quickly and effectively associate locations with emergency codes.

Regarding **claim 5**, Laatu discloses that the emergency numbers are retrieved from a smart card and put into terminal memory (see paragraph 27), which reads on the claimed, "the mobile station contains a first nonvolatile memory," and, "loading a new LECAN database corresponding to the new location into the first nonvolatile memory."

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Laatu fails to expressly disclose that the database is loaded when the mobile station moves to a new location with a different MCC, MNC, LAC or RAC.

In a similar field of endeavor, Armbruster et al disclose that the gateway determines when a subscriber unit has moved into a defined area with a different emergency code and transmits new emergency codes to the subscriber unit (see column 6, lines 12-27).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Laatu with Armbruster et al to include the above updating of the emergency numbers when the location changes in order to ensure that the mobile always has the correct emergency numbers when needed.

Regarding **claim 6**, as applied to claim 5 above, the combination of Laatu and Armbruster et al disclose that the emergency numbers are transmitted to a subscriber unit when it moves into a new area with a different emergency code (see Armbruster et al column 6, lines 12-27), which reads on the claimed, "the mobile station downloads the new LECAN database into the first non-volatile memory after moving to the new location."

Regarding **claim 7**, the combination of Laatu and Armbruster et al discloses that the emergency numbers for the specific area are retrieved from the smart card (see Laatu paragraph 27), which reads on the claimed, "the mobile station copies the new LECAN database into the first nonvolatile memory from a second nonvolatile memory of the mobile station containing a list of global LECAN databases."

Regarding **claim 9**, the combination of Laatu and Armbruster et al discloses a system where emergency numbers are stored in terminal memory separate from the smart card, for use in case of an emergency (see Laatu paragraph 31), which reads on the claimed, "the mobile station having a database containing a plurality of Local Emergency Call Numbers corresponding to a specific geographic location." The user can simply dial a particular number inside her smart card, i.e. 911, in order to reach the local general emergency center (see Laatu paragraph 21), which reads on the claimed, "dialing a local emergency telephone number with the mobile station." The emergency number or numbers are received from the smart card and when the user has an emergency, one of these numbers is dialed (see Laatu paragraph 27), which reads on the claimed, "a mobile phone network verifying that dialed local emergency telephone number is part of the LECAN database of the current geographic location; if the dialed local emergency telephone number is located in the LECAN database of the current geographic location...making a telephone connection with the local emergency telephone number." Laatu inherently provides support for upgrading the priority of an emergency call as he discloses that typically an emergency number is given priority in the network (see paragraph 4), which reads on the claimed, "upgrading connection priority of the mobile station to a mobile phone network from basic telephone call priority to emergency telephone call priority."

Regarding **claim 10**, Laatu fails to disclose a corresponding location ID based on one or more items selected from the group consisting of a Mobile Country Code (MCC),

a Mobile Network Code (MNC), a Location Area Code (LAC), and a Routing Area (RAC).

In a similar field of endeavor, Armbruster et al disclose a system that allows the subscriber unit to recognize dialed digits as an emergency code, translate the dialed digits to the appropriate digit stream based on location, and inform the servicing network of the emergency nature of the call (see column 2, lines 25-34). Each Location Area Code is associated with at least one emergency service center if the region within the LAC is located provides emergency services.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Laatu with Armbruster et al to include the above association of each Location Area Code with at least one emergency service number where available in order quickly and effectively associate locations with emergency codes.

Regarding **claim 12**, Laatu discloses that the emergency numbers are retrieved from a smart card and put into terminal memory (see paragraph 27), which reads on the claimed, "the mobile station contains a first nonvolatile memory," and, "loading a new LECAN database corresponding to the new location into the first nonvolatile memory." Laatu fails to expressly disclose that the database is loaded when the mobile station moves to a new location with a different MCC, MNC, LAC or RAC.

In a similar field of endeavor, Armbruster et al disclose that the gateway determines when a subscriber unit has moved into a defined area with a different emergency code and transmits new emergency codes to the subscriber unit (see column 6, lines 12-27).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Laatu with Armbruster et al to include the above updating of the emergency numbers when the location changes in order to ensure that the mobile always has the correct emergency numbers when needed.

Regarding **claim 13**, as applied to claim 5 above, the combination of Laatu and Armbruster et al disclose that the emergency numbers are transmitted to a subscriber unit when it moves into a new area with a different emergency code (see Armbruster et al column 6, lines 12-27), which reads on the claimed, "the mobile station downloads the new LECAN database into the first non-volatile memory after moving to the new location."

Regarding **claim 14**, the combination of Laatu and Armbruster et al discloses that the emergency numbers for the specific area are retrieved from the smart card (see Laatu paragraph 27), which reads on the claimed, "the mobile station copies the new LECAN database into the first nonvolatile memory from a second nonvolatile memory of the mobile station containing a list of global LECAN databases."

Claims 4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Laatu in view of Armbruster et al as applied to claim 3 above, and further in view of Okuyama (US 20010044302A1).

Regarding **claim 4**, the combination of Laatu and Armbruster et al fails to expressly disclose associating a language with the location ID.

In a similar field of endeavor, Okuyama discloses a system that associates a language as well as an emergency number with an area ID (see paragraph 27), which reads on the claimed, "each LECAN database has a corresponding language associated with the LECAN database based on the location ID."

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the combination of Laatu and Armbruster with Okuyama to include the above associate of a location ID with a language in order to provide a system capable of making the emergency report at the minimal level when the user encounters the emergency and requires the help of someone else (see paragraph 8).

Regarding **claim 11**, the combination of Laatu and Armbruster et al fails to expressly disclose associating a language with the location ID.

In a similar field of endeavor, Okuyama discloses a system that associates a language as well as an emergency number with an area ID (see paragraph 27), which reads on the claimed, "each LECAN database has a corresponding language associated with the LECAN database based on the location ID."

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the combination of Laatu and Armbruster with Okuyama to include the above associate of a location ID with a language in order to provide a system capable of making the emergency report at the minimal level when the user encounters the emergency and requires the help of someone else (see paragraph 8).

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Laatu in view of Armbruster et al, and further in view of Wieck (US006011967A).

Regarding **claim 8**, the combination of Laatu and Armbruster et al fails to disclose dialing a second local emergency telephone number associated with the selected local emergency service if the mobile station does not connect to the first local emergency telephone within a predetermined time period.

In a similar field of endeavor, Wieck discloses that if a first emergency number is busy or does not answer, a second emergency number is dialed (see column 5, lines 27-52 and figure 5), which reads on the claimed, "dialing a second local emergency number associated with the selected local emergency service if the mobile station does not connect to the first local emergency telephone number within a predetermined period of time."

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the combination of Laatu and Armbruster et al with Wieck to include the above use of a second number when the first number does not answer in order to connect the user with the needed help as quickly as possible and with minimal trouble to the user.

Response to Arguments

Applicant's arguments with respect to claims 1 and 3-14 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryan J. Fox whose telephone number is (571) 272-7908. The examiner can normally be reached on Monday through Friday 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bryan Fox
March 19, 2006


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER